

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-2025**

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JAMES E. SMITH,

Plaintiff - Appellant,

v.

MICHELIN NORTH AMERICA, INCORPORATED,

Defendant - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Columbia. Joseph F. Anderson, Jr., District Judge. (3:09-cv-00022-JFA)

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Submitted: January 18, 2011

Decided: January 25, 2011

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Before NIEMEYER, DUNCAN, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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James E. Smith, Appellant Pro Se. William Lee Duda, OGLETREE, DEAKINS, NASH, SMOAK & STEWART, PC, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James E. Smith appeals the district court's order adopting the recommendation of the magistrate judge and granting Michelin's motion for summary judgment in this employment discrimination action. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Smith v. Michelin N. Am., Inc., No. 3:09-cv-00022-JFA (D.S.C. Aug. 13, 2010). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED